

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

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CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY DEPUTY

UNITED STATES OF AMERICA

-vs-

CAUSE NO. A-11-CR-083-SS

KURT BRANHAM BARTON

ORDER

BE IT REMEMBERED on this day, the Court reviewed the file in the above-styled cause, and there were pending Motion for Transcript [#79] filed November 14, 2011; Motion to Withdraw as Counsel [#80] filed November 14, 2011; and Motion to Appoint Counsel on Appeal [#81] filed November 14, 2011, and now that judgment was executed on November 22, 2011 and filed and a notice of appeal has been timely filed, the Court enters the following:

IT IS ORDERED that the Motion for Transcript has already been granted in the form of a Criminal Justice Act application and, therefore, this motion is DISMISSED AS MOOT.

IT IS ORDERED that the Motion to Withdraw filed by court-appointed counsel Rip L. Collins, Jr. and David M. Gonzalez is GRANTED, and Rip L. Collins, Jr. and David M. Gonzalez have no further responsibilities in their representation of Kurt Barton other than as stated in this order.

IT IS FURTHER ORDERED that the Motion for Appointment of Counsel on Appeal is GRANTED, and

IT IS ORDERED that Robert Cason Fisk, whose address is 111 Congress Avenue, Suite 1010, Austin, TX 78701, phone number (512) 236-0009, is appointed to represent the

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defendant Kurt Barton on his appeal to the United States Court of Appeals for the Fifth Circuit. The Clerk of the Court is instructed to call Mr. Fisk and get him a copy of this order immediately. Mr. Fisk is to contact the United States Marshals Service, ascertain the location of Mr. Barton, and make contact with Mr. Barton at his earliest convenience and before Mr. Barton is removed to a penitentiary by the United States Marshals Service.

IT IS FURTHER ORDERED that Rip L. Collins, Jr. and David M. Gonzalez shall immediately contact Mr. Fisk, brief him regarding their representation, their investigation, and the trial, and the fact that transcripts have already been ordered and a timely notice of appeal filed. Mr. Collins and Mr. Gonzalez are to supply Mr. Fisk with a copy of their files for his review and use, if necessary, in his representation of Mr. Barton in this appeal. Following these efforts, Mr. Collins and Mr. Gonzalez have no further responsibilities in this case.

SIGNED this the 29th day of November 2011.


UNITED STATES DISTRICT JUDGE